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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,826	08/21/2003	Min-Hui Chen	CHEN 3579/EM	6175

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EXAMINER

GALL, LLOYD A

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/644,826

Applicant(s)

CHEN, MIN-HUI

Examiner

Lloyd A. Gall

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8, 9 and 11 is/are rejected.
- 7) ☒ Claim(s) 5-7 and 10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claims 1, 4 and 9-11 are objected to because of the following informalities: On page 8, line 4, "either top or" should be replaced with --the top and--, since both of the top and bottom connecting members are referred to in lines 5-8. On page 9, line 2, "flanges" should be replaced with --flange--. In line 1 of claims 9 and 10, "the" may be replaced with --at least one--, since plural sleeves are claimed in claim 1. See also, "the" at the end of line 2 of claim 11. Appropriate correction is required.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art in view of Murphy (985) and the Austrian reference (804). In fig. 1 of the instant application, applicant teaches a casing 30, a cover 32 with holes 320, a base 34, connecting members 36 capable of being connected by soldering, an opening 340 for a keyhole access, and a hinged extension member 342 an enlargement 344 to seal the opening 340. Murphy teaches an extension member 46 with a recessed enlargement 54 to cooperate with an annular downwardly extending flange 26 around a keyhole. The Austrian reference teaches sleeves 8 with outwardly extending top and bottom flanges above and below to top cover. It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute a recessed enlargement and annular flange between the extension member 342 and keyhole 10 of

applicant's admitted prior art, in view of the teaching of Murphy, the motivation being to optimize the sealing capability of the padlock protective member around the keyhole. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide sleeves in the cover holes 320 of applicant's admitted prior art, in view of the teaching of the Austrian reference, the motivation being to optimize the sealing capability around the shackle receiving holes 320.

Claims 1 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art in view of Murphy and Hampton (813).

Applicant's admitted prior art and Murphy are discussed above. Hampton teaches sleeves 32 disposed in holes 46 in the cover 26M as seen in the figure 4 embodiment, wherein the inner diameter of the sleeves are smaller than the outer diameter of the link 14, at least in the figure 4 condition. It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute a recessed enlargement and annular flange between the extension member 342 and keyhole 10 of applicant's admitted prior art, in view of the teaching of Murphy, the motivation being to optimize the sealing capability of the padlock protective member around the keyhole. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide sleeves in the cover holes 320 of applicant's admitted prior art, in view of the teaching of Hampton (813), the motivation being to optimize the sealing capability around the shackle receiving holes 320.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art in view of Murphy and either the Austrian reference or Hampton (813) as applied to claim 1 above, and further in view of Druschel (902). Druschel teaches an extension member 37 including an aperture 39 being snap-connected at tab 17 to a padlock protector 14. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a tab and aperture snap connection between the extension member and base of applicant's admitted prior art, in view of the teaching of Druschel, the motivation being to allow the extension member to be removable and used with multiple padlock protectors, if desired.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art in view of Murphy and either the Austrian reference or Hampton (813) as applied to claim 1 above, and further in view of Winner (115). Winner teaches a sealing sleeve 51 as seen in fig. 3 having plural tapered projections around its bore. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide tapered projections with the bore of the sleeves of applicant's admitted prior art as modified by either the Austrian reference or Hampton (813), the motivation being to optimize the sealing capability of the sleeves.

Claims 5-7 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Art Unit: 3676

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 703-308-0828. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LG LG
March 17, 2004


Lloyd A. Gall
Primary Examiner